THE COURTS.

THE CASE OF WM. M. TWEED.

Another Day of Sound and Fury Signifying Mething-Centinuation of Argument to Quash the Indictment - The Change of Judges to Try the Case-Tremain in Reply to Defendant's Counsel.

AN INSIDE VIEW OF ERIE OPERATIONS.

History of Jay Gentd's Resignation-The Election of Generals Dix, McClellan and Others to the Eric Directory-Gould's Release.

THE INCOME TAX.

Constitutionality of the Income Tax Tested in the United States Courts-Judge Freedman Objects- Case Argued and Decision Reserved.

THE KING-O'NEIL TRAGEDY.

Mrs. King Applies to the Court for the Castody of the Children-The Application Granted-The Children Permitted to Visit Their Father in Prison.

BUSINESS IN THE OTHER COURTS.

Summaries-Another Mandamus Against the Comptroller-A Suit Interesting to Parties Doing Rusiness in New York and Non-Residents-Business in the General Sessions-Decisions.

The Dock Commissioners took preliminary steps yesterday, before Judge Leonard, at Supreme Sourt, Chambers, to obtain control of the balance of the Dock fund still in the hands of the Comptrol her. Application was made and granted for an order to show cause why a mandamus should not besoe against the Comptroller directing him to pay the fund over to the Dock Commissioners. The order was made returnable on Monday next, when the case will come up for a hearing.

The case of The People vs. William M. Tweed was again before the Court of Over and Terminer yesterday, and the day was spent in the further argument of the motion to quash the indictment. The hearing will be continued this morning, when Mr. Field will reply on behalf of the defendant,

In the Court of Oyer and Terminer yesterday, before Judge Ingraham, the prisoner Scannell was called upon to plead to the charge of killing John Denobee, and upon application of counsel the triat was fixed for ten o'clock this morning.

In the same Court Arthur Quinn was called upon to plead to the charge of killing Martin Stiner, on the 13th of August last, and upon application of prisoner's counsel the trial was set down for Mon-

day morning next, at ten o'clock.

Decision was given yesterday by Judge Leonard, of the Supreme Court, upon the application made by Mrs. Anna King for the custody of her children. the is the wife of John C. King, between whom and herself proceedings for a divorce were pending at the time of the alleged shooting of Anthony F. O'Neil by her husband, the children then, by previous order of the Court, being in the custody of the father. Judge Leonard directed the children to be given over to her care, but with permission to them to visit their father once a week each

THE CASE OF WILLIAM M. TWEED.

Another Day of Legal Encounter and of the Law's Delay-Continuation of the Argument on the Motion to Quash the Indictment-Mr. Tremain in Reply to Defendant's Counsel. Yesterday the case of The People against William

ed. Tweed was again up before Judge Ingraham in the Court of Oyer and Terminer on a continuation of argument by Tweed's counsel to quash the in-

Be cited exversal authorities in support of his right to appear before the Grand Jury, and in reference to section 23 said it was competent to the District. Attorney to appoint a substitute. If they could transpose the meaning of section 23 to the effect that no other person than the District Attorney were equally well authorized to draw the inference from the latter part of the same section that any person could be present except at the probibited and stated times. He referred also to sections and 35, and with reference to the intimation of the other side, that he was liable for a misdemeanor by reason of his cognizance of the proceedings of the Grand Jury even, for he had advised the District Attorney to recall the witnesses. He was present at no consultations with them, as appeared in his affidavit, other than the open transactions he had had with them under his instructions. He referred to the opinion of one of the first Attorney Generals of the United States (in vol.) 1 of Opinions, p. 42), as well as to Judge Wilson's opinion in his lecture on Common Law, p. 351, in both of which it was held that the Grand Jury shad the wight of the presence of the public prosecutor. In one of Mr. Bishov's nores the language used by Chitty was repeated, and the common law with reference to the presence of the District Attorney or any prosecuting officer was laid down and explained, and by it indictments for high treason, or many case other than where there was a private prosecutor, caused might be present with the Grand Jury and cross-examine their witnesses, any ordinary counsel or barrieter having the same privilege, and the same thew was carried out in the cause of Larrup vs. The State, in which the creases and judgments were cited to supporting the same privilege, and the right to retain any counsel he liked to assist him in the trial, and sithough the same objection had frequently been taken un previous occasions it had in almost every instance been overruled.

Counsel for the defence denied that this was so, and sai

Mr. Peckham continued his argument, and asked where the legal difference was in the appearance of one or she other before the Grand Jury. Opposing counsel maintained that in cases where the District Attorney bimself was unable to attend before the jury it was for the Court to appoint his substitute, and that he had no power to act in the

substitute, and that he had no power to act in the matter himself.

Mr. Peckham said it was a matter of absolute necessity that some one should appear before the Grand Jury to explain all the circumstances in connection with difficult and intricate causes, otherwise the jury would never be able to arrive at a just conclusion; they would be in doubt about all manner of things, and therefore he held that any one appointed by the District Attorney to make such explanation to them was equally as valid as he could be himself. With reference to the name of John Brown, which had been introduced, and referred to by counsel on the other side as

"A SKUNE UPON THE PENCE."

make such explanation to them was equally as health as he could be himself. With reference to the name of John Brown, which had been introduced, and referred to by counsel on the other side as

"ASKUNE UPON THE PENCE,"
he denied that their insimations with regard to it were either correct or just, and so far as his own conduct was concerned his knowledge of the proceedings of the Grand Jury closed when he left their room and requested them to answer to the bill. The only irregularity claimed in this case was that the names of the witnesses were not set forth by the District Attorney, and therefore the only real points which this result would point to would be the inference that this jury was incompetent from the fact of a stranger coming before them. It appeared to him that it would be making the action of the Grand Jury and the administration of justice a farce. Assuming, even supposing, his presence had been an irregularity, that did not alter the facts of their inquiring out all that they had done and acting independently afterwards, which fact shows that they desired to act properly. He submitted, therefore, that nothing improper had occurred; that whatever there was, supposing it to be irregularity, was cured entirely by the District Attorney's having advised the Grand Jury to ignore any previous action they had taken in the proceedings and to investigate it entirely by themselves.

Counsel for the defence cited several leading cases in an endeavor to prove that the power was vested in the Court to quash the indictment.

Mr. Tremain addressed himself to the principal question, and said the motion to quash the indictment.

Mr. Tremain addressed himself to the principal question, and said the motion to quash the indictment, and the court to quash the indictment, so far as it related to exchasive lacts, sought to be based upon three propositions: first, that the proceedings before the Grand Jury was first of it, and third, that this was merely an irregularity was of itself, upon the papers before the Grand Ju

Wetershop the case of The People against Wilson.

M. Tweed was gain up before Judge Ingraman:
the Court of Oyer and Ferminer on a continuation
of argument by Tweed's counsel to quash he shecomingtot only farceal as a legal illusion, but, under
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sland if charged with similar crime, and was enti-lied only to the same justice and consideration.

'The 'nirthe' nebring 'of the trial was then ad-journed until this day, when Mr. Field will reply for the defendant.

AN INSIDE VIEW OF "ERIE" OPERATIONS.

History of Jay Gould's Resignation The Election of Generals Dix, McClelian and Others to the Directory of the Erie Railway-Gould's Release.

A new chapter has been added to the history of the Eric Ring collapse, which must prove interesting in all the aspects of this interminable litigation. How Gould was dethroned and the facts connected with the coup d'état of General Sickles while he was here on a brief visit from the seat of his minis terial duties at Madrid, and the co-operation of General Dix in that most successful raid on the Eric Ring, will be found detailed as given below from the testimony of those who knew whereof they testified, given before a referee the other day The testimony subjoined was given on reference in support of the motion made before Judge Fancher in Supreme Court Chambers to vacate the order of arrest found against Gould:—

Q. Where do you reside and what is your occupation? A. I reside in the city of Elmira, N. Y., and am a manufacturer of iron.

A. I reside in the city of Elmira, N. Y., and am a manufacturer of row come a director of the Eric Railway Compared to the West of the West of the Heat of the Property of 1871 to July, 1872.

O. Were you appointed in April, 1871, by the Beard of Directors, one of the committee to examine into the transactions of that company of Jay Gould, James Fisk, 17., and Frederick A. Lamo? A. Ves.

Q. Did you, as one of the directors, vote in favor of the execution of such release 1 A. I did.

Q. Did you, as one of the directors, vote in favor of the execution of such release 1 A. I did.

Q. Did you, as one of the directors, vote in favor of the execution of such release 1 A. I did.

Q. Did you, as one director, also vote on December 30, 1871, or thereabouts, in lavor of a release, then or soon afterwards executed to the same parties, on the part of the company by John Hillon and Henry Thompson as a committee? A. I did.

Q. In reporting and voting in tavor of each of these releases did you act in good faith and with a view to the real interest of the company? A. I did, sir.

Q. And so far as you have any knowledge, information or relief, did the other directors, voting with you in tavor of such release, act in like manner? A. I think they did.

of such release, act in like manner? A. I think they did.

THE HEATH AND RAPHAEL LAWSUIT.

Q. At the time that such releases were executed was any liftgation pending to which the Eric Railway Company and Jay Could were parties in which a question was raised concerning the validity of the Isrue of certain convertible bonds by the Executive Committee of the company (of whom Jay Gould was one), and in which charges were made that the preceeds of such convertible bonds had not been accounted for to the company? A. I know there was a suit brought against the company? A. I know there was a suit brought against the company by Heath and Raphael, in which general charges were made against Mr. Gould.

Q. Look at this paper now shown to you and say whether it is or is not a copy of the compaint in the suit of Heath and Raphael against the Eric Railway Company. Gould and others which was submitted to the company for the which made the report referred to? A. It is.

Q. State whether it is not charged in this complaint that a large share of the moneys received from the safe of those convertible bonds had not been accounted for. A. I am aware of the existence of this suit, and that is one of the charges.

Q. Was not a copy of that bill of complaint laid before all the directors of the coupany who were in attendance at the meetings where the resolutions sanctioning these releases were passed? A. I remember that when the

of those convertible bonds had not been accounted for A. I am navire of the existence of this suit, and that is one of the charges.

Q. Was married the company who were in attendance at the meetings where the resolutions sanctioning these releases were passed? A. I remember that when the committee were appointed they were directed to investigate the charges in that particular suit, and that a copy of the bill of complaint was on the table of the board.

Q. Was it not charged in that complaint that enormous amounts of money belonging to the said company had for long periods of time been retained in the hands of Gould, Fisk and Lane, and had been used by them for their own private advantage? A. Yes, sir.

Q. Were there not at that time many general and vague charges of fraud and misuse of the corporate funds publicly made against Messrs. Gould, Fisk and Lane in connection with the affairs of the company? A. Yes, sir.

Q. Did not the committee appointed by the Board take into consideration all these various charges and endeavor to ascertain the facts about them? A. They did, sir; they were instructed to do so.

Q. Did Mr. Gould exercise any influence or control over you as a member of this committee or over any of your associates, so far as you are aware? A. He did not over me; I do not know anything about my associates.

Q. Did you act with entire independence of Mr. Gould, both as a member of the committee and as a member of the board of Directors, in reporting and voting for the execution of such releases? A. I did.

Q. State what was your motive in consenting to the execution of such releases? A. Because I supposed it was right; because I was unable to discover from the examination any reason why they should not be granted; also because I believed it would be for the Interest of the company.

Q. Bid Mr. Gould retuse to answer any inquiries addressed to him by the committee went to Mr. Barlow and other officers of the company.

Q. Were you at the Erie Railway office on the lith of Mr. Barlow and other officers

there the matter was talked over in accordance with the arrangements I had made, and an agreement to that effect come to, and it was verbaily arranged that on the next morning he would meet Mr. Gould, and an agreement would be drawn up carrying out our views. Mr. Barlow was satisfied to settle on those terms, and said he did not care how much Mr. Gould had stolen.

Q. What did he say about past transactions of Mr. Gould, 11 anything? A. I think Mr. Smith made use of the language, "Let bygones be bygones," to which Mr. Barlow assented; the sum and substance of our conversation was that an arrangement was come to by which the whole thing should be ended, and that they would give a full release and pay to Mr. Gould the money which he had leaned the company.

Q. Dud Mr. Gould assent to this arrangement? A. He did.

did.

Q. Did he do anything in pursuance of it? A. He met General Sickles in the morning and perfected, as he informed me, an arrangement; he went into the Directors' room with General Sickles, myself and others, and did y out the arrangement, Did Mr. Gould on that day resign as President? A. Q. Did Mr. Gould on that day resign as President? A. ic did.
Q. Did not you, Mr. Gould, Mr. Sherwood and Mr. Drake act together as directors of the company on the lih and 12th of March, 1872? A. Yes, sir, we did.
Q. Was not a meeting called by Mr. Gould, as President, on the 12th of March? A. Yes.
Q. Did not you, Mr. Drake, Mr. Sherwood, Mr. Kamstell, Mr. Hall and Mr. Archer attend that meeting, Mr. Gould acting as Fresident? A. We did.
Q. At that meeting were not the resignations of a number of the other directors presented and accepted? A. They were. er of the other directors presented and accepted ribey were.

Q. Did not that meeting then vote to fill the vacancies ye cleeting Messrs. Barlow, McUleilan, Travers and other ersons acting with them? A. Yes, sir.

Q. Did not Mr. Gould then res on the Presidency to the loard thus constituted and the board unite in electing seneral Dix in his place? A. Yes.

Q. Did not Mr. Gould thus tubil the agreement made in his behalf by you and Mr. Smith with Mr. Barlow?

on his behalf by you and Mr. Smith with Mr. Barlow?
A. Yes.

G. Was not O. H. P. Archer the Vice President of the
Eric Railway Company on the 11th of March, and for
some time before and after that? A. He was.

Q. Did you have any conversation with him upon the
subject of a release to Mr. Gould or the confirmation of
past releases? A. i had several conversations with him,
in which he each time assured me that one of the conditions upon which they went into that arrangement
was that they gave a release to Mr. Gould.
Q. Was not Mr. Archer a party to the arrangement by
which a change in the board, ousting Mr. Gould, was attempted on the 11th of March? A. He was.

EDWIN ELDRIDGE,

THE CONSTITUTIONALITY OF THE INCOME TAX.

Liability of State Officers to Pay Taxes on Their Incomes-Suit of Judge John J. Freedman vs. The United States-Case Argued and Decision Reserved.

In the United States Circuit Court yesterday an interesting case respecting the liability of the sala-ries of State officials to pay income tax was heard before Judge Shipman. General Franz Sigel, when he was Assessor of Internal Revenue, demanded from Judge John J. Freedman, of the Superior Court, \$162, as an assessment upon his official salary of \$10,000 a year. It was contended that the salary was taxable under the act of Congress enlorcing the payment of income tax. Judge Freedman paid the money under protest, and
appealed to the Commissioner of Internal
Revenue, who, for more than six months,
neglected to pay any attention to the matter. The
time within which the Judge was allowed by law
to wait for the Commissioners' decision having
ended, the Judge instituted a suit in the United
States Circuit Court against General Sigel to recover \$162, and on yesterday the cause was heard
before Judge Shipman. Mr. E. Fitch, counsel for
Judge Freedman, maintained that it was unconstitutional to demand income tax out of the salaries
of State officers, and that the money paid as income tax by the Judge under protest should be
reinned him. Mr. Emerson, for the government—
said that under a recent decision of the Supreme
Court no tax could be levied upon the salary of a
State official if paid out of the State of the Supreme
County fund.

The Court took the papers and reserved decision. salary was taxable under the act of Congress en-The Court took the papers and reserved decision.

THE KING-O'NEIL TRAGEDY

thout the Custody of King's Children-Mrs. King to Have the Charge of Them. but They Can Visit Mr. King in Prison. Close upon the Leels of the King-O'Neil tragedy, it will be remembered that an application was

made before Judge Leonard, at Supreme Court, Chambers, on behalf of Mrs. King, for the custody of her children. Fending the proceedings for divorce between Mr. and Mrs. King, the children were assigned to the care of Mr. King. The transfer of the latter to the City Prison to await an examination upon the charge of murder preferred against him left the children without a guardian, and hence this application by his wife. Judge Leonard yesterday gave his decision in the case.

JUDGF LEONARD'S PECISION.

Mrs. King must take the custody of the children. They must be permitted to visit Mr. King once a

They must be permitted to visit Mr. King once a week, when their health and the weather will, in Mrs. King's discretion, allow, with a suitable attendant selected by her and paid by Mr. King. Visits to be of two hours if Mr. King wishes.

ANOTHER MANDAMUS AGAINST THE COMPTROLLER.

The Book Commissioners Want Control of the Dock Fund-Comptroller Green Will Not Give It Up-Invoking the Arhitration of the Court.

An application was made yesterday by Mr. Abraham R. Lawrence before Judge Leonard, at Su-preme Court Chambers, for an order to show cause why a mandamus would not issue against the Comptroller directing him to pay over to the Dock Commissioners the balance of dock bonds issued by the city still in his possession.

"I would like to have this suit made returnable at the earliest moment possible," urged Mr. Law-

at the earliest moment possible," urged Mr. Lawrence.

"Well, I'll make it a week from Monday," answered the Judge. "There are always some two hundred cases on my calendar."

"Two hundred cases against the Comptroller?" asked Mr. Lawrence.

"Not quite so bad as that. I mean my general calendar," explained the Judge. "The Comptroller complains that the food of mandamurse pouring into his office is so great that he has not time to prepare to meet them."

"But this I insist." persisted Mr. Lawrence, "should have a preterence. It is a matter of interest to large numbers. There are some five hundred thousand dollars of dock fund still in the Comptroller's hands. The Comptroller thinks that he alone should disburse this money and sign by warrant for that amount for the Dock Department. This compels extra labor and delays and the Dock Commissioners claim the right to pay out the money on their own warrants."

After some further remarks Judge Leonard finally made the order returnable on next Thursday.

BUSINESS IN THE OTHER COURTS.

SUPREME COURT-CIRCUIT. Decision.

By Judge Van Brunt. Nathaniel West vs. Second Presbyterian church of Brooklyn, N. Y.—Judgment for defendant.

SUPERIOR CONTEXT-SPECIAL TERM. Decisions.

By Jedge Curtis.

Jeremiah S. Lane vs. Anthony P. Sutter et al.—
Motion granted on payment of defendant's costs of opposing. William Koenig vs. Adam Steckel et al.—Com-

paint dismissed.

By Judge Barbour.

John J. Nolan vs. Alfred W. Willmont et al.—Motion denied, with \$10 costs. COURT OF COMMON PLEAS-SPECIAL TERM.

Decision. By Judge Robinson.

Hildreth vs. Aliison.—Judgment for defendant, with costs. Findings filed.

Interesting to Parties Doing Rusiness in New York and Non-Residents. Before Judge Tracy.

Cornella Blakeley vs. Ira E. Doying .- This is an application to discharge or vacate an attachment ssued from this Court on the ground that the deendant was at the time of the application for the same a non-resident of the city of New York. The defendant now seeks to have the attachment set aside for the reason that he is not within the mean ing of the attachment laws a non-resident. He admits for other purposes that he is a resident of Huntington, L. I., his family reside there and he visits them and sleeps there at least three nights in the week, but claims that as he conducts his business in this city and sleeps here four nights in the week he is not a non-resident within the statute authorizing attachments to issue against non-resident; On the defendant's own showing I think the Court would be justified in holding him a non-resident; but the numerous affidavits of the plaintiff in opposition to the motion puts the question of non-residence beyond dispute. Under the attachment laws applicable to this Court a man may be a non-resident notwithstanding he carries on business in this city, keeps his bank account here and sleeps here several nights in the week. Counsel for defendant, to support his motion, cites the case of Towner vs. Church, 2 Abbott, page 299. I think this Court should be governed by Murphy vs. Baidwin, 11 Abbott, new series, page 407, as well as Barry vs. Bockover, 6 Abbott, page 378; Crane vs. Wilson, 8 Abbott, page 78, and Lee vs. Stanley, 9 Howard's Prac. Rep., page 212.

Motion to vacate attachment denied, with costs. ing of the attachment laws a non-resident. He

COURT OF GENERAL SESSIONS.

A Shooting Affray in First Avenue-Discharge of the Prisoners. Before Recorder Hackett.

The first case tried yesterday was an indictment or felonious assault and battery against Thomas Kenney, the complainant being Thomas Costello, eeper of a porter house, corner of Twenty-fifth treet and First avenue. He swore that on the 24th of October while entering his store he was shot at y Kenney, without the least provocation. On cross by Kenner, without the least provocation. On cross-examination it came out that Costello had been arrested frequently, and that he was arrested on the charge of murdering Mr. Nathan, but dis-charged. The officer in the case swore that Cos-tello's place was the resort of disorderly characters. A number of witnesses for the defence, among whom was a respectable young man, flatly contra-dicted Costello's story, testifying that Costello turned round and shet at Kenny and his com-panion, Edward Horan.

ury rendered a verdict of not gulity without The District Attorney filed an indictment against Edward Horan, growing out of the same affair, and with the consent of the Court, Horan was dis charged.

Robbery of a Lady in Second Avenue-A

Case of Mistaken Identity-An Exciting Scene in Court.

Frederick Cartland, a youth, was tried upon a charge of robbery. Miss Hilda Siebenchen testified that on the 17th of October, after she got out of a car on the corner of Thirty-fifth street and Second avenue, she was seized and held by Cartland and his confederate snatched a pocketbock out of he hand which contained \$11. The boys escaped, but next day Cartland was arrested by a detective upon a description given by the complainant. She said that she had seen the prisoner at the corner on two or three previous occasions and was sure he was the young man who participated in the robbers.

he was the young man who participated in the robbery.

Counsel for the prisoner put him on the stand, and he swore that he never saw the lady in his lie and that she was mistaken. A brother of the accused was told to stand up and Miss Siebenchen re-entered the witness box and exclaimed, "Oh, that is the young man!" She subsequently said she could not positively swear which of the brothers held her. Under those circumstances the Recorder instructed the jury to render a verdict of not guilty. In discharging Cartiand His Honor intimated that from his antecedents it was probable that he (Cartland) would finish his life in the State Prison, and hoped that this escape would be a warning to him. This episode relieved the monotony of the proceedings, and when the two brothers were placed before the young lady for identification the spectators manifested considerable merriment.

while riding on the platform of a Third avenue car. The pocketbook contained \$14.50. It appeared from the testimony that there was a doubt as to Lafferty's complicity in the their, and the jury acquitted him; but the proof against Verity was so clear that a verticet of guilty was promptly rendered. His Honor sent him to the Penitentiary for three year. dered. His E three years.

A Bold Larceny. William Long was tried and convicted of grand arceny, which was committed in an audacious The testimony of the prosecution showed that on Saturday, August 17, Long and his confederate, Sullivan, entered the premises of Moses Christie & Brother, 380 Feari street, and stood in a line with the workmen who were being paid off, and that, while Mr. Christie turned his back for a moment, Sullivan put his hand into the window and grabbed seven ten dollar bills and ran, followed by Long. The jury were satisfied from the evidence that he acted in complicity with Sullivan, and rendered a verdict of guinty. Long was remanded for sentence.

JEFFERSON MARKET POLICE COURT.

Receiving Stolen Goods. The case of Isaac Lyon, who keeps a shop at 54 Market street, charged with receiving stolen goods, came up for examination before Justice Cox at Jefferson Market yesterday. Mr. Charles J. Bur-nett identified certain property found in the place of Lyon as a portion of that taken from his store by burglars on the night of the 2d of December. Further examination was waived, and Lyon was held to ball in the sum of \$2,500.

Burglary. Thomas Lucas, a young colored man, was brought up charged with burglary, in breaking into the room of James Parker, also colored, No. 125 Greene street, and stealing a quantity of women's cloth-ing. Committed for further examination.

Policy Dealers. Hawiey Ingles, of 1673, Thompson street, charged with violation of the lottery law, wash eld to bail at

Jefferson Market yesterday in the sum of \$500 to The evidence against John Farrell, charged with similar offence, was somewhat defective, and he was required to give ball for future good behavior.

COURT CALENDARS-THIS DAY.

COURT CALENDARS—THIS DAY.

SUFERME COURT—SPECIAL TERM—Held by Judge Fancher.—Law and Fact—Nos. 20, 37, 31, 32, 33, 34, 35, 36, 38, 36, 40, 41, 42, 43, 44, 45,

SUFREME COURT—CHROUTT—PART 1—Held by Judge Van Brint.—Short Causes—Nos. 1643, 170734, 1969, 2953, 3023, 3155, 3267, 3285, 3421, 3422, 3431, 3461, 3483, 3599, 3625, 3629, 3689, 3691, 3709, 3755, 3757, 3857, 3879, 3917, 3921, 3922, 4099, Part 2—Held by Judge Brady.—Nos. 303434, 3940, 26234, 3434, 3628, 3740, 145034, 2308, 303834, 3518, 3542, 3632, 3692, 3694, 3850, 3838, 2994, 3054, 3160, 3304, 3420, 3558, 3606, 3700, 3776. SUPREME COURT—CHAMBERS—Held by Judge Leonard.—Nos. 38, 47, 53, 65, 68, 71, 77, 78, 80, 81, 82, 83, 86, 87, 88, 90, 103, 104, 106, 10732, 108, 109, 110. Call 115.

SUPERIOR COURT—TRIAL TERM—Part 1—Held by Call 115.

SUPERIOR COURT—TRIAL TERM—Part 1—Held by Judge Freedman.—Nos. 547, 1551, 1349, 789, 1875, 1895, 1657, 815, 183, 1609, 1859, 1709, 1429, 1595.

| 1877, 1895, 1857, 815, 183, 1809, 1859, 1709, 1429, 1695.
| COURT OF COMMON PLEAS—GENERAL TERM—Held by Judges Charles P. Daly, Robinson and Loew.— Nos. 163, 28, 88, 96, 97, 133, 187, 40, 41, 42, 43, 47, 65, 77, 101, 104, 108, 116, 121, 123, 124, 134, 141. COURT OF COMMON PLEAS—TRIAL TERM—PART 1—Held by Judge J. F. Daly.—Nos. 1977, 1514, 846, 332, 1684, 1712, 68, 609, 1634, 1589, 1524, 1051, 374, 1285, 632, 1652, 1073, 1556, 1042, 1707.
| MARINE COURT—TRIAL TERM—PART 1—Held by Judge Shea.—Adjourned to Monday, December 9. Part 3—Held by Judge Tracy.—Adjourned to Monday, December 9.
| COURT OF OVER AND TERMINEE—Held by Judge Ingraham.—Burgiary, Chester S. Jones; grand larceny, C. Hughes; jelonious assault and battery, William Moore.
| COURT OF CENERAL SESSIONS—Held by Judge |

ceny, C. Hughes; jelonious assault and battery, Wilbam Moore.

COURT OF CENERAL SESSIONS—Held by Judge Hackett.—Robbery, John Kenny; jelonious assault and battery, James O. Chambers; burglary, John Lawson, James L. Watson, William Davis; perjury, John Daggan; grand jarceny, Peter Wiley, Siegmund Schoenberg, Anthony Johnson, Felix Behrend, Alexander White and Joseph Townsend; receiving stoien goods, Abraham Uhlfeider; carrying slungshot, Daniel Mathews.

UNITED STATES SUPREME COURT.

Power of Attorney Made by a Lunatic Valid !-Trustees of a Colored Bap-tist Church in Hot Water.

WASHINGTON, D. C., Dec. 5, 1872. No. 1. Dexter vs. Hall et al.-Error to the Circuit Court for the District of California, -The grantors of Dexter, having acquired possession of real property in San Francisco, purchased the fee of the property from one Harris, who had been given a power of attorney to sell it by the owner, then a lunatic, confined in an asylum near Philadelphia. The heirs of the owner, John Hall, a lieu tenant in the navy, asserting that the power of attorney made by their father when a lunatic was void, and that no consideration was ever realized for its execution, brought this suit in electment to recover the prop erty from the grantees of the purchasers under the instrument. The verdict below established the lunacy of Hall at the time of the transaction, and the judgment was for his heirs. The cause was brought here and was argued at the last term. Subsequently the Court ordered a reargument on the questions whether, first, a power of attorney made by a lunatic is void or voidable, and second, whether the deed given in pursuance of the power able consideration for the deed and taking without notice the conveyance would be sustained.
The defendants contend that there could be no authority delegated by an insane man, and that, consequently, all conveyances founded upon the power
of attorney were void as that instrument itself,
Roscoe Conkling for plaintiffs in error; McAllister,
Pike & Galpin for defendants.

No. 6. Bouldin et al. vs. Alexander et al.-Appeal from the Supreme Court of the District of Colum his ... This was a suit in courty brought by Alex. ander and others against Bouldin and others, to have determined which of the parties were Trustees of the Third Colored Baptist church of Washington, and as such officers entitled to the Washington, and as such officers entitled to the possession and custody of the church building and property; and whether a deed by which Bouldin conveyed the land on which the church is erected to Alexander and his co-claimants was defective. The decision below was in favor of the plaintiffs there, and it is here contended that on the facts presented the Court erred in its decision on both the questions involved. More and Riddle for appellants; Thomas Wilson for appellees.

COURT OF APPEALS CALENDAR.

ALBANY, N. Y., Dec. 5, 1872.

The following is the day calendar of the Court of Appeals for December 6, 1872:—Nos. 358, 384, 490, 491, 868, 869, 870, 871.

ROWING IN ENGLAND.

Addy and Bagnall in Their Second Scullers' Match-Sharp Work-Bagnall the Winner by a Foul. [From the London Sportsman, Nov. 20.]

The second of the two scullers' matches between

NEWCASTLE, Nov. 19, 1872.

Robert Bagnall, of Newcastle, and Mark Addy, of Manchester, came off on the Tyne to-day, and resuited in favor of Bagnali upon a foul. Our readers will remember that Bagnall defeated the Manches-ter sculler in the first of the brace of contests upon the Thames a fortnight ago, and the match of today was for the same stake, the sum at issue being £100 a side, and the course one mile in length. The starting point was ninety yards below Paradise quay and the finish at the Scotswood Suspension Bridge. Mr. Hugh Patrickson was referee and Mr. J. Blenkinsop distance judge. The competing oarsmen took ship at four o'clock, when a thin

In inimated that from his antecedents it was probable blet that the (Cartinal) would finish his life in the State Prison, and hoped that this escape would be a warning to him. This episode relieved the monotony of the proceedings, and when the two brothers were placed before the voung lady for identification the spectators manifested considerable merriment.

Barney Walsh pleaded guilty to larceny from the person, the indictment charging him with stealing, on the 7th of November, a gold watch chain, worth \$65, from John Rahe, while walking through spring street. Four years and six months hard labor in the State Prison was the sentence prononneed by the Court.

James Ward, who, on the 24th of October, stole a gold chain valued at \$40 from the person of Thomas McGuire, in Third avenue, pleaded guilty to an attempt at grand larceny.

John Connors, being indicted for stealing a gold watch and chain valued at \$40 from the person of Thomas McGuire, in Third avenue, pleaded guilty to an attempt at grand larceny.

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John Connors, being indicted for stealing a gold watch and chain valued at \$40 from the person of Thomas McGuire, from Dorence B. Pitts, pleaded guilty to an attempt to commit the crime.

John Gorman, who was charged with burgiariously entering the premises of Peter Kohler, 142, Mulberry street, on the 6th of October, and stealing \$50 worth of tools, pleaded guilty to an attempt at burgiary in the third degree.

These prisoners were cach smonths. William H. Clark, against whom was a charge of larceny, in stealing clothing valued at \$30 on the 11th of September, pleaded guilty to pleaded gui

TAMMANY HALL.

Reorganizing the District Delegations-Reports of Inefficiency and Lack of Fidelity

Among the Members. The Tammany Hall Democratic General Com-

mittee met in Tammany Hall last evening, John Fox in the chair. There was a large attendance. Mr. John Kelly, from the committee of ten appointed to investigate the condition of the va-rious Assembly districts as to efficiency, harmony. &c., reported that the committee would be able to report in full at the next meeting. At present however, they were able to report the condition of the Seventh, Eighth, Tenth and Seventeenth Assembly districts, the members of which were examined separately. From the delegates in the SEVENTH ASSEMBLY DISTRICT

the information was elicited that a large number of the delegates had not acted unitedly nor cooperated with their associates at the late election, or in favor of the gentlemen nominated by the party, and the committee had much reason to believe that this General Committee cannot place any reliance on the fidelity of that delegation as

lieve that this General Committee cannot piace any reliance on the fidelity of that delegation as now constituted. There are individual members, gentlemen of political strength and personal worth, against whom the committee do not wish to cast the slightest reflection. The largest number of the delegation, however, supported and voted the Apollo Hall ticket for Mayor and co-operated with that association. We recommend to the General Committee that, for the purpose of a general reorganization in this district, the seats of the whole delegation be declared vacant.

Your committee also had before them the delegation from

THE EIGHTH ASSEMBLY DISTRICT,
and on deliberate investigation found that the principal member of said delegation acknowledged that he had not voted at the late election, because there were gentlemen on the Tammany Hall ticket objectionable to him, nor did he support your candidates by his influence, but remained away from the polisaliday. Individual members of the delegation stated reluctantly that the work of the canvass was done by six or seven members, that the delegation was rarely called together and that it was very doubtful if they could ever act harmoniously or ententhy under the present management. Ninetenthy under the present management. On the fighth district German citizens, who have heretofore co-operated with the organization, and your committee is under the impression that little if any effort was made to continue their centents of the organization. In consideration of these facts, and in accordance with the opinion of your committee, of the atter impossibility of relying on the delegation as formed, we recommend that the seats of the whole delegation be declared vacant, and would recommend in making up new delegations that the interests of our German citizens be more liberally re

The delegation from the The delegation from the TENTH ASSEMBLY DISTRICT is not so strong and efficient as to warrant its continuation as at present formed. Its leading member (avored a judicial nominee of Apollo Hail who was his personal friend at the late election, and it is shown that he voted and electioneered for James O'Brien. A great want of confidence is shown among the voters in the district in the delegation, and your committee would recommend that a change be made likely to make it wholly efficient and trustworthy, and secure for it the confidence of those whom it represents, and in consequence recommend that all the seats of the delegation be declared vacant.

eclared vacant. The members of the The members of the SEVENTEENTH ASSEMBLY DISTRICT also appeared, and it is shown that they were composed so antagonistic as to rarely act together. The delegation is now reduced to one-half its original organization. Power should be given the remaining members to fill the vacancies, as provided by the bylaws; but we would recommend that the members consult the various interests of their district that may be in harmony with Tammany Hall.

with Tammany Hall.

THE FOLLOWING RESOLUTION is recommended for adoption:— THE FOLLOWING RESOLUTION

IS recommended for adoption:—

Resolved, That the seats of the members from the Seventh, Eighth and Tenlh Assembly districts be, and they are hereby declared, vacant, and that these districts be referred to the Committee on Organization, for the purpose of filling said vacancies, and that the persons who may be so selected he notified by the Committee on Organization to attend the next meeting of the General Committee.

JOHN KELLY MIERSON, THOUGH MICHAEL MIERSON, HOWN BLUMENTHAL, LERE, RENNEFICK, EDWARD F. FITZPATRICK, EDWARD F. PITZPATRICK, EDWARD F. PITZPATRICK,

The following resolution relative to the acath of Horace Greeley was also presented by the committee for adoption:—

Resolved, That in the death of Horace Greeley we lament the loss of one of the great founders of modern fournalism, who has done much to create that wonderful social and political institution; a public man of immense and rare intellectual powers, ever wielded with intense energy of conviction for objects which the believed to be for the good of mankind; a private chitzen virtuous in all the good of mankind; a private chitzen virtuous in all the feel of the good of mankind; a private chitzen virtuous in all the feel of the good of mankind; a private chitzen virtuous in all the feel of the good of mankind; a private chitzen virtuous in all the feel of the committee of arms caused he has indicating stood for a complete reconcilation among the protocol and first while we feel a recommittee of the confiction of the complete reconcilation among the

illy stood for a complete reconciliation among the people; and further Resolved, that, while we feel a profound sense of public calculity in the event we deplore, we condole with his clatives in their afflicting bereavement The General Committee adopted the resolutions unanimously, and adjourned until next Thursday

MEETING OF THE CHAMBER OF COMMERCE.

The Department of Docks to be Looked After-No More Retuse to be Thrown Into the Bay-Resolutions Touching the Death of Mr. Griffith.

A regular monthly meeting of the Chamber of Commerce was held yesterday afternoon, Mr. Wm. E. Dodge in the chair. After the transaction of unimportant business the reports of committees were declared in order. Reports were read from Committee No. 5 and Committee No. 8. Mr. Spofford, the chairman of No. 5, submitted the following

resolution:-Resolved. That the Chamber respectfully ask the Secretary of the Treasury to recommend the adoption in the mercantile marine of the United States the commercial code of signals as now in use by the navy and all other commercial nations. Carried.

The following resolutions came from the same committee and were also carried:—

comercial marine of the United States the commercial nations. Carried.

The following resolutions came from the same commercial nations. Carried.—

Whereas it has been customary for steam vessels to throw their ashes and cinders into the waters of the port of New York, and actual examination has shown that such materials have collected and formed shoals injurious to the navigation of the harbor; and whereas it the vident that a continuation of the practice will greatly increase the evil, and it is therefore necessary for the interests of commerce that the further deposit of such ashes and cinders in solwn that a small penalty is ibsufficient to that end; therefore,

Resolved, That the Senators and members of Congressfrom this State be earnestly requested to secure the passage of the bill to prevent the throwing of materials of any kind in the harbors of the United States, which passed the Senate at the last session of Congress.

Resolved, That they he also recome the passage of the bill to prevent the throwing of materials of any kind in the harbors of the United States, which passed the Senate at the last session of Congress.

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Resolved, That they he also recome the passage of the bill to prevent the throwing the passed of the will be also recome the passage of the bill to prevent the last way of vessels entering at Sandy Hook, beyond the jurisdiction of the State authorities.

Whereas the Legislature of this State on the 17th day of April, 18th eathlished cork and Brooklyn and the also the last vicinity, which lines had been determined from the fatility of April, 18th eathlished cork and Brooklyn and the also the last vicinity, which lines had been determined from the capical purpose of determining how far the shores could safely be extended into the waters of the harbor; and the passage of the condition and th